

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 95-CR-177

MICHAEL J. LECLAIR,

Defendant.

DECISION AND ORDER

The Court is in receipt of two motions to appoint counsel by the defendant, Michael J. LeClair. Mr. LeClair was charged with violating the Lacey Act, a conservation law that prohibits trade in wildlife, fish and plants that have been illegally taken, possessed, transported or sold. As part of his plea agreement, LeClair agreed to a permanent revocation of his right to engage in any commercial fishing activity in all waters of Lake Michigan and the State of Wisconsin.

LeClair wants an attorney to represent him in filing and pursuing habeas corpus relief so he can have his fishing privileges reinstated. Typically, the Court will not appoint counsel until an action is filed—i.e., a plaintiff files a lawsuit (or, as relevant here, a motion for relief under 28 U.S.C. § 2255) and moves to appoint counsel in connection with that action.

LeClair is free to do this, but it should be noted that a request to appoint counsel would very likely be denied, as would a request for habeas relief.

LeClair's motions to appoint counsel [ECF Nos. 140 and 141] are **DENIED.**

Dated at Milwaukee, Wisconsin, this 28th day of April, 2015.

SO ORDERED:


HON. RUDOLPH T. RANDA
U.S. District Judge